



SECRETARIAT

AS/Jur/ (2014) CB 08

15 December 2014

To the members of the Committee on Legal Affairs and Human Rights

Synopsis of the meeting held in Paris on 10 December 2014

The Committee on Legal Affairs and Human Rights, meeting in Paris on 10 December 2014, with Mr James Clappison (United Kingdom, EC) in the Chair, as regards:

- **How to prevent inappropriate restrictions on NGO activities in Europe** (*Rapporteur: Mr Yves Cruchten, Luxembourg, SOC*): agreed to declassify the minutes of its meeting in Madrid on 30 October 2014 in the part pertaining to the hearing on this subject;
- **The effectiveness of the European Convention on Human Rights: the Brighton declaration and beyond** (*Rapporteur: Mr Yves Pozzo di Borgo, France, EPP/CD*): considered a draft report and unanimously adopted a draft resolution and a draft recommendation;
- **Threats to the Rule of Law in Council of Europe member states: asserting the Parliamentary Assembly's authority** (*Rapporteur: Ms Marieluise Beck, Germany, ALDE*): considered a draft report and unanimously adopted a draft resolution;
- **Azerbaijan's Chairmanship of the Council of Europe: What follow-up on Respect of Human Rights?** (*Rapporteur: Mr Pedro Agramunt, Spain, EPP/CD*): continued the discussion of the information note from the Committee's last meeting in Madrid on 30 October 2014, and authorised the Rapporteur to carry out a fact-finding visit to Azerbaijan in 2015; also requested the Chairperson to write to the Azerbaijani authorities to enquire about the alleged harassment of members of the family of Ms Gulnara Akhundova as well as the arrests of civil society activists who had taken part in events organised by the Committee or its members during the Assembly's part-sessions in Strasbourg;
- **Human Rights in the North Caucasus: what follow-up to Resolution 1738 (2010)?** (*Rapporteur: Mr Michael McNamara, Ireland, SOC*): in the absence of the Rapporteur, heard a statement by the Chairperson and decided that, as no Russian members were present, the Committee would return to the matter during the January 2015 part-session to give Russian colleagues the opportunity to react;
- **Clear definition of the criteria of political persecution** (*Rapporteur: Ms Meritxell Mateu Pi, Andorra, ALDE*): considered an introductory memorandum and agreed with the rapporteur's proposal not to proceed with the preparation of the report and to inform the Bureau accordingly;
- **Human Rights challenges facing Europe: exchange of views with representatives of civil society**: held an exchange of views to coincide with UN Human Rights Day with:

Mr Christian De Vos, Advocacy Officer, Open Society (Justice Initiative), London

Ms Veronika Szenté Goldston, Human Rights Watch, Advocacy Director for Europe and Central Asia, New York

Ms Brigitte Dufour, Civic Solidarity Platform, Director of the International Partnership for Human Rights, Brussels

- **Appointment of rapporteurs:**
 - (i) Strengthening the rule of law in South-East European countries through targeted reform of the legal system (for report): appointed Mr Bernd Fabritius (Germany, EPP/CD);
 - (ii) Assessing the need for a comprehensive review of the Dublin regulation and its implementation (for opinion), (Rapporteur for the Committee on Migration, Refugees and Displaced Persons: Mr Michele Nicoletti, Italy, SOC): appointed Mr Boriss Cilevičs (Latvia, SOC);
- **Participation of members in conferences, meetings, seminars etc.:** heard feedback on the following events:
 - (i) From Ms Chiora Taktakishvili (Georgia, ADLE) concerning her participation in the CDCJ meeting, on 29-31 October 2014, in Strasbourg, on “Regulation of lobbying: preliminary draft study on the feasibility of a Council of Europe legal instrument”;
 - (ii) From Ms Meritxell Mateu Pi (Andorra, ALDE) who attended a meeting of a ‘Working Group on Prison Overcrowding’ in Strasbourg, on 8-9 December 2014;
- **Replies from the Committee of Ministers to recommendations emanating from the Committee:** took note of the replies from the Committee of Ministers on “Revision of the European Convention on Transfrontier Television”, “The participation of non-member States in Council of Europe conventions”, “Urgent need to deal with new failures to co-operate with the European Court of Human Rights” and “Refusing impunity for the killers of Sergei Magnitsky”; regarding the latter, was informed by the former Rapporteur that the Russian Federation has not made any progress in the implementation of the Assembly’s resolution.
- **Other business:**
 - **Sub-committees:** took note of the following changes: on the Sub-Committee on Human Rights, for Belgium, Ms Lahaye-Battheu replaces Ms Dumery as Ms Van Vaerenbergh’s alternate. For France, Mr Le Borgn’ replaces Mr Nachbar. On the Sub-Committee on Crime Problems and the Fight against Terrorism, for Belgium, Mr Destexhe replaces Mr Henry and, for France, Mr Grosdidier replaces Mr Salles.
 - **Proposal regarding sub-committees:** heard and agreed to a proposal made by Mr Klaas de Vries (Netherlands, SOC) to disband the current Sub-Committee on Rule of Law and replace it with a Sub-Committee on the implementation of Strasbourg Court judgments;
 - **Extension of References:** agreed to request the Bureau for extensions to the following references:
 - (i) “Strengthening the protection and role of human rights defenders in Council of Europe member states” (*Rapporteur: Ms Mailis Reps, Estonia, ALDE*) until 31 December 2015;
 - (ii) “European institutions and human rights in Europe” (*Rapporteur: Mr Michael McNamara, Ireland, SOC*) until 30 June 2015;
 - (iii) “Administrative Detention” (*Rapporteur: Mr Agustín Conde, Spain, EPP/CD*) until 31 October 2015;
 - (iv) “Abuse of pre-trial detention in States Parties to the European Convention on Human Rights” (*Rapporteur: Mr Pedro Agramunt, Spain, EPP/CD*) until 30 September 2015 and authorised the Rapporteur to carry out an information visit to Georgia, which will take the place of the previously authorised visit to Ukraine
 - (v) “Implementation of judgments of the European Convention on Human Rights”) (*Rapporteur: Mr Klaas de Vries, Netherlands, SOC*) until 30 June 2015 ;
 - **Improving the Protection of Whistleblowers:** heard and agreed to a request by the Rapporteur, Mr Pieter Omtzigt (Netherlands, EPP/CD) to hold an exchange of views with EULEX whistleblower Ms Maria Bamieh during the January 2015 session, subject to the availability of funds, and to invite CIA whistleblower John Kiriakou to address the Committee on the same occasion.
 - **Illegal CIA detentions:** on proposal by Mr Pieter Omtzigt (Netherlands, EPP/CD) invited the Chair to address the Secretary General of the Council of Europe with a request to follow up the previous inquiry made on this subject under Article 52 of the European Convention on Human Rights in light of recent disclosures by the United States Senate.

- **Next meetings:** took note of meetings to be held next year:

Plenary Committee:

Strasbourg, during the Assembly's 1st part-session of 2015 (26 - 30 January 2015)
Paris, 16 March 2015 (Council of Europe Office)
Strasbourg, during the Assembly's 2nd part-session of 2015 (20-24 April 2015)
Yerevan, Armenia, 21-22 May 2015
Strasbourg, during the Assembly's 3rd part-session of 2015 (22-26 June 2015)
Paris, 3 September 2015 (Council of Europe Office) tbc
Strasbourg, during the Assembly's 4th part-session of 2015 (28 September – 2 October 2015)
Paris, 2 November 2015 (Council of Europe Office) tbc
Paris, 7 December 2015 (Council of Europe Office) tbc

Sub-Committee on the Election of Judges to the European Court of Human Rights:

- Paris, 15 (and possibly also on 16) January 2015

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Paris on 10 December 2014 at 3.30pm, with Ms Meritxell Merteu Pi (Andorra, ALDE) and Mr Arcadio Díaz Tejera (Spain, SOC), in the Chair, as regards:

- **UN Human Rights Day 2014: a civil society perspective on current human rights concerns**

Held an exchange of views with representatives of civil society:

Mr Michel Aguilar, Chair of the Human Rights Committee of the INGO Conference, Council of Europe, Strasbourg and Ms Iamvi Totsi (Vice-Chair)
Mr John Dalhuisen, Director, Europe and Central Asia Programme, Amnesty International, London
Mr Gunnar Ekeløve-Slydal, Deputy Secretary General of the Norwegian Helsinki Committee, Oslo
Ms Veronika Szenté Goldston, Human Rights Watch, Advocacy Director for Europe and Central Asia, New York
Ms Brigitte Dufour, Civic Solidarity Platform, Director of the International Partnership for Human Rights, Brussels.

- **Next meeting:** left it to the Chair to convene the next meeting.

Andrew Drzemczewski, Günter Schirmer, Agnieszka Szklanna, Anne-Katrin Speck

cc: Secretary General of the Assembly
Director General, Directors and all staff of the Secretariat of the Assembly
Secretaries of National Delegations and of Political Groups of the Assembly
Secretaries of observer and partner for democracy delegations
Secretary General of the Congress
Secretary to the Committee of Ministers
Directors General
Director of the Private Office of the Secretary General of the Council of Europe
Director of the Office of the Commissioner for Human Rights
Director of Communication
Permanent Representations to the Council of Europe